

Message Text

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C O N F I D E N T I A L SECTION 1 OF 2 VIENNA 0584

USUN FOR ROSENSTOCK

E.O. 11652: GDS

TAGS: PFOR, PORG, UNIDO, EIND, EAID

SUBJECT: PRELIMINARY ANALYSIS OF FIRST SESSION, COW ON DRAFT

CONSTITUTION, AND RECOMMENDATION FOR ACTION

REF: (A) VIENNA 0459; (B) VIENNA 0429

1. SUMMARY: FIRST SESSION OF COMMITTEE OF WHOLE ON UNIDO DRAFT CONSTITUTION (COW-I) WAS DEVOTED ALMOST ENTIRELY TO DEVELOPMENT OF CONSISTENT INTERNAL POSITIONS BY GROUP B AND G-77; SOCIALIST BLOC AND CHINESE PARTICIPATION WAS OF NEGLIGIBLE IMPACT. OUTCOME OF G-77 AND GROUP B INTERNAL CONSULTATION SHOWS SHARPLY DIVERGING APPROACHES TO SUBSTANCE OF CONSTITUTION FOR NEW UNIDO, WITH BOTH GROUPS ISSUING STUDY PAPERS REPRESENTING RESPECTIVE HARD-LINE ELEMENTS. G-77 POSITIONS WILL HAVE TO BE MODIFIED IN IMPORTANT RESPECTS IF THEY ARE TO MEET CURRENT US VIEWS. SINCE MOST GROUP B

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COUNTRIES APPEAR TO BE UNPREPARED TO GO TO THE MAT WITH

THE G-77 AND SINCE SOCIALIST BLOC MAY END UP BROADLY GOING
ALONG WITH LDC POSITIONS (CHINA WILL SUPPORT THESE
ALL ALONG THE LINE) IT WILL BE IMPORTANT AT COW-II
FOR THE US AND OTHER MAJOR GROUP B CONTRIBUTORS
TO CLEARLY IDENTIFY AND HOLD FIRM ON THOSE ISSUES
REGARDED BY THEM AS CRUCIAL TO THE QUESTION OF
TAKING UP MEMBERSHIP IN THE NEW UNIDO, IF G-77 IS TO BE
INDUCED TO REVISE ITS VIEWS. ACTION REQUESTED:
(A) REVIEW OF GROUP B AND G-77 STUDY PAPERS IN ORDER
TO REITERATE OR ESTABLISH FOR COW-II CONDITIONS WHICH
WILL HAVE TO BE SATISFIED IF US ACCEPTANCE OF UNIDO
STATUTES IS TO BE ENVISAGED. (B) EARLY CONSIDERATION
BE GIVEN TO INITIATING CONSULTATIONS AT APPROPRIATE
POLICY LEVELS, EITHER BILATERALLY OR AS A "CORE GROUP,"
WITH FRG, CANAD, UK, JAPAN AND AUSTRALIA (WHOSE POSITION
AT COW-I ON BUDGET VOTING PROCEDURE SIMILAR TO THAT OF US)
IN ORDER TO SEEK COMMON AGREEMENT ON HANDLING OF BASIC
ISSUES AND ASSURE GREATEST POSSIBLE COHESION OF THESE
COUNTRIES AT COW-II. END SUMMARY

2. COW-I ON UNIDO DRAFT CONSTITUTION, NOT
UNEXPECTEDLY, PRESENTED FEW OPPORTUNITIES TO PROBE
AMONG G-77 DELS IN ORDER DEFINE DEGREE OF FIRMNESS
OF POSITIONS WITHIN GROUP IN RESPECT OF VARIOUS ASPECTS
OF DRAFT CONSTITUTION; MOST G-77 DELS WERE NOT PREPARED TO
ENTER EVEN INFORMALLY INTO DISCUSSIONS OF DRAFT STATUTES
BEFORE GROUP POSITION HAD BEEN HAMMERED OUT, AND THE
RELATIVELY FEW GENERAL DEBATE STATEMENTS BY G-77 DELS
ADDRESSED ONLY TWO OR THREE ISSUES PRESENTED BY THE
SECRETARIAT DRAFT. WHILE THE GENERAL DEBATE STATEMENTS
DID INDICATE A GROWING CONSENSUS AMONG 77 IN THREE
AREAS--REJECTION OF WEIGHTED VOTING, HEAVY CONCENTRATION
ON RESTRICTING BENEFITS TO LDC'S AND REJECTION OF
PROVISION FOR ASSOCIATE MEMBERSHIP--THE FULL RANGE OF
G-77 POSITIONS DID NOT BECOME CLEAR UNTIL THE FINAL MEETING
OF THE SESSION, WHEN G-77 REDRAFT OF DRAFT
CONSTITUTION WAS DISTRIBUTED (COPIES SENT FIGGINS, IO/CMD
AND ROSENSTOCK, USUN). CONTRARY TO WHAT MIGHT HAVE
BEEN EXPECTED FROM STATEMENTS, BOTH FORMAL AND PRIVATE,
BY SOME G-77 DELS THAT INDICATED A CONCILIATORY ATTITUDE
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ON THEIR PART TOWARD WHAT WERE WIDELY UNDERSTOOD TO BE
FIRM POSITIONS WITHIN GROUP B, G-77
REDRAFT IN FACT REPRESENTS A WORSENING OF THE SECRETARIAT DRAFT
(WHICH THE US HAD ALREADY FOUND UNSATISFACTORY IN THESE SAME
RESPECTS) IN PROPOSING AN ORGANIZATION FOR THE
EXCLUSIVE BENEFIT OF LDC'S, THE FUNDING OF WHICH
WOULD BE ALMOST OPEN-ENDED AND WHOSE FINANCIAL OBLIGATIONS
COULD BE IMPOSED ON ITS MEMBERS BY AFFIRMATIVE VOTE

OF THE LDC'S ALONE, INCLUDING, APPARENTLY, FINANCIAL CONTRIBUTIONS TO THE INDUSTRIAL DEVELOPMENT FUND.

3. MISSION'S FIRST REVIEW OF G-77 PAPER IDENTIFIES FOLLOWING SPECIFIC ELEMENTS THAT RUN COUNTER TO US POSITIONS IN RESPECT OF UNIDO S.A. CONSTITUTION AS PREVIOUSLY COMMUNICATED TO MISSION OR WHICH RAISE QUESTION IN OUR OWN MINDS CONCERNING THEIR ACCEPTABILITY TO THE US: PREAMBLE, WHILE REDUCED IN LENGTH AND DROPPING REFERENCE TO SPECIFIC RESOLUTIONS OF 6SS, NOW CALLS UPON THE PARTIES TO BE "MINDFUL OF THE PRINCIPLES ENUNCIATED AND ACCEPTED IN THE SIXTH SPECIAL SESSION OF THE GA WHICH CALL FOR THE ESTABLISHMENT OF A NEW INTERNATIONAL ECONOMIC ORDER (IN INITIAL CAPS) AND THE DECLARATION AND PLAN OF ACTION..... ADOPTED BY THE LIMA CONFERENCE." WE ARE AWARE THAT US HAS ACCEPTED SUCH PHRASING AS "MINDFUL" WHEN REFERENCES HAVE BEEN MADE IN PREAMBULAR LANGUAGE OF RESOLUTIONS TO OUTCOME OF 6SS AND LIMA CONFERENCE. HOWEVER, QUESTION ARISES WHETHER WE SHOULD REGARD EVEN SUCH REFERENCES AS APPROPRIATE AND ACCEPTABLE IN THE CONSTITUTION OF A UN AGENCY WHEN THESE MAY SUBSEQUENTLY BE CITES IN ARGUMENTS CONCERNING THE POLICY ORIENTATION OR ACTIVITIES OF THE ORGANIZATION. MOREOVER, ART. 1 PROVIDES THAT THE ORGANIZATION SHALL ACT "IN ACCORDANCE WITH THE PRINCIPLES EMBODIED IN THE PREAMBLE." PREAMBLE DROPS ALL REFERENCE TO DC'S, IN EFFECT REJECTING PRINCIPLE OF UNIVERSALITY AND CONCENTRATING ENTIRELY ON FULFILLING NEEDS OF LDC'S, WHILE RETAINING LANGUAGE ON "SOVEREIGN RIGHTS" (NATIONALIZATION) AND THE "RIGHTFUL SHARE" (WHICH WE REGARD AS A POLITICAL RATHER THAN ECONOMIC CONCEPT AND OF QUESTIONABLE APPROPRIATENESS) AND ADDING NEW ELEMENT OF TRANSFER OF TECHNOLOGY. THRUST OF CONFIDENTIAL

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THIS IS MADE CLEAR IN ART. 1, WHICH SETS OBJECTIVE OF NEW UNIDO SOLELY AS PROMOTION AND ACCELERATION OF INDUSTRIAL DEVELOPMENT IN LDC'S....WITH A VIEW TO ASSISTING IN THE ESTABLISHMENT OF A NIEO." VOTING FORMULAS THROUGHOUT THE G-77 DRAFT, INCLUDING THAT FOR ADOPTION OF AMENDMENTS, ARE LIMITED TO SIMPLE MAJORITIES CALCULATED ON THE BASE OF "PRESENT AND VOTING," WITH THE EXCEPTION OF ADOPTION OF THE PROGRAM/BUDGET; HERE, HOWEVER, THE G-77 DRAFT REJECTS WEIGHTED VOTING IN FAVOR OF UNQUALIFIED TWO-THIRDS MAJORITY. IN OTHER AREAS AFFECTING THE ORGANIZATION'S BUDGET, THE G-77 DRAFT PROVIDES SPECIFICALLY THAT CONFERENCE, ON TWO-THIRDS MAJORITY, CAN MAKE CHANGES IT DEEMS NECESSARY AND ALLOWS IDB BY (PRESUMABLY SIMPLE) MAJORITY TO AMEND BUDGET WITHOUT STATUTORY LIMIT. PAPER RETAINS LANGUAGE OF SECRETARIAT DRAFT

DEFINING BUDGET AS INCLUDING ALL EXPENDITURES AND
MAKING MEMBERS LIABLE FOR ALL EXPENDITURES NOT
COVERED BY UNRESTRICTED VOLUNTARY CONTRIBUTIONS.
IN ADDITION, IT CONTAINS SOMEWHAT SURPRISING PROVISION FOR
ASSESSED CONTRIBUTIONS TO PROPOSED INDUSTRIAL
DEVELOPMENT FUND (IDF).

4. MISSION HAS NO BASIS AS YET FOR DRAWING
FIRM CONCLUSIONS ON THE ORDER OF PRIORITY WITHIN G-77
OF THOSE NEW ELEMENTS THEY HAVE INTRODUCED INTO THEIR
DRAFT OR ON THOSE ELEMENTS OF ORIGINAL SECRETARIAT
DRAFT, UNCONGENIAL TO US, WHICH THEY HAVE RETAINED.
IT IS ENTIRELY POSSIBLE, INDEED LIKELY, THAT G-77 HAS
PRESENTED "HARD" POSITION IN OPPOSITION TO "HARD" POSITIONS
WITHIN GROUP B AS TACTICAL PLOY, A POSITION FROM WHICH
SOME RETREAT COULD BE ACCEPTED AS LONG AS CORE
ELEMENTS ARE MAINTAINED. WE HAVE RECEIVED SOME INDICATION,
FOR EXAMPLE, THAT 77 MIGHT BE WILLING ACCEPT DIVISION
OF PROGRAM/BUDGET INTO ADMINISTRATIVE/RESEARCH AND
OPERATIONS CATEGORIES A LA RESOLUTION 2152. WE HAVE
NO INDICATIONS, HOWEVER, THAT WOULD LEAD TO CONCLUSION
THAT 77 IS LESS THAN FIRM AND UNITED IN

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DETERMINATION TO EXCLUDE WEIGHTED VOTING PROVISIONS FROM NEW CONSTITUTION. HOW GROUP D WILL HANDLE ITSELF IN THIS ISSUE IS NOT CLEAR. IN PRIVATE CONVERSATIONS MEMBERS OF SOVIET DEL HAVE ASSERTED THAT MAJOR CONTRIBUTORS (INCLUDING THEMSELVES) MUST INSIST ON SAFEGUARDS AGAINST LDC POWER TO VOTE THROUGH BUDGETS OPPOSED BY THE FORMER. HOWEVER, GROUP D GENERAL DEBATE STATEMENTS ALSO CAME DOWN HARD IN SUPPORT OF THE PRINCIPLE OF EQUALITY OF STATES- A LINE WHICH WOULD APPEAR TO BE ANALOGOUS TO G-77 INSISTENCE THAT ANY VOTING FORMULA MUST RESPECT THE PRINCIPLE OF THE SOVERIGN EQUALITY OF STATES IN THE UN. CHINESE, OF COURSE, FULLY SUPPORT G-77 LINE. CERTAIN ELEMENTS OF G-77 DRAFT, SUCH AS PROVISION FOR ASSESSED CONTRIBUTION TO IDP, LIKELY TO CAUSE AS MUCH HEARTBURN FOR USSR AS FOR US. WE EXPECT, HOWEVER, THAT G-77 WOULD ACCEPT SOME MODIFICATION OF THIS PROVISION IN RETURN FOR SOCIALIST BLOC SUPPORT ON WEIGHTED VOTING ISSUE.

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5. GROUP D AND CHINA WERE, IN FACT, ISOLATED DURING FIRST SESSION OF COW. REAL ACTION WAS CLEARLY IN THE AREA OF G-77/GP B RELATIONSHIP; WHILE EACH OF THESE GROUPS WORKED SEPARATELY AT DEFINING ITS INTERNAL POSITIONS WITH THE OBJECT OF PRESENTING A COHERENT FRONT TO THE OTHER GROUP, BOTH GROUP D AND CHINA WERE REDUCED TO THE ROLE OF SPECTATORS. WE DO NOT EXPECT THAT THIS CONDITION WILL CONTINUE TO OBTAIN DURING SUCCEEDING MEETINGS OF COW. NOW THAT G-77 AND GROUP B HAVE DELINEATED BROAD LINES OF THEIR POSITIONS AND DIFFERENCES GROUP D WILL BE ABLE FOR FORTHCOMING COW SESSIONS TO IDENTIFY POSSIBILITIES FOR ADVANCING THEIR OWN OBJECTIVES WITH RESPECT TO THE STATUTES, INCLUDING OPPORTUNITIES FOR LEAVING TO GROUP B THE BRUNT OF OPPOSING G-77 POSITIONS WHICH MAY ALSO BE OBJECTIONABLE TO GROUP D (E.G., ISSUES OF UNIVERSALITY AND BUDGET PROCEDURES) AND STRONGLY SUPPORTING VARIOUS G-77 VIEWS (E.G. NEED FOR A NIEO) WHICH GIVE GROUP D NO DIFFICULTY BUT RAISE PROBLEMS FOR GROUP B. NO DOUBT GROUP D WILL ALSO BE LOOKING FOR TRADE-OFF POSSIBILITIES WITH G-77.

6. DECIDING NEGOTIATIONS WILL, HOWEVER, BE BETWEEN GROUP B AND G-77. LATTER RECOGNIZES FULL WELL THAT BULK OF FINANCING FOR UNIDO AS SA, AS WELL AS OVERWHELMING PORTION OF EXPERTISE AND TECHNOLOGY RELATED TO INDUSTRIAL

DEVELOPMENT, MUST COME FROM GROUP B COUNTRIES IF NEW UNIDO IS TO ENJOY SUCCESS. BRIEF RUN-DOWN OF SPECTRUM OF POSITIONS WITHIN GROUP B IS, THEREFORE, IN ORDER HERE. IN ROUGH TERMS, THE ACTIVE MEMBERSHIP OF GROUP B CAN BE BROKEN DOWN INTO THREE GENERAL CATEGORIES, THE FIRST BEING THE LEAST INDUSTRIALIZED AMONG THEM: GREECE, IRELAND, PORTUGAL, TURKEY AND, LESS SO, SPAIN. IN AN IMPORTANT SENSE, THEY ARE POTENTIAL RECIPIENTS OF THE BENEFITS OF A NEW UNIDO, AND CANNOT BE EXPECTED TO RISE TO THE DEFENSE OF GROUP B POSITIONS ON MOST NORTH-SOUTH ISSUES. A SECOND CATEGORY CONSISTS OF THOSE COUNTRIES WHOSE GOVERNMENTS STRONGLY SUPPORT PRO-LDC POSITIONS, EITHER THROUGH MORAL CONVICTION OR FOR BROAD FOREIGN POLICY GOALS; LED BY SWEDEN AND THE NETHERLANDS, THIS FACTION

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GENERALLY INCLUDES THE OTHER NORDIC COUNTRIES WITH THE POSSIBLE EXCEPTION OF DENMARK, WHICH HAS MAINTAINED UNBROKEN SILENCE ON UNIDO ISSUES ALTHOUGH BEING INCLUDED IN ANY EXPRESSION OF COMMON EEC VIEWS. THE THIRD CATEGORY, CONSISTING OF THE REMAINDER OF THE HIGH-INDUSTRIALIZED WESTERN STYLE DEMOCRACIES, FORMS THE CORE OF GROUP B AND INCLUDES ITS RELATIVELY HARD-LINE ELEMENT. EVEN WITHIN THE CORE GROUP, HOWEVER, THERE EXISTS A RANGE OF POSITIONS OF VARYING HARDNESS; AUSTRIA AND SWITZERLAND, FOR THEIR OWN FOREIGN POLICY REASONS, HAVE ALREADY INDICATED DURING THE COW GENERAL DEBATE THE FLEXIBILITY OF THEIR ATTITUDES TOWARD THE NEGOTIATIONS; ITALY, ALTHOUGH FULLY AWARE OF THE ADVERSE REACTION TOWARD "REDEPLOYMENT OF INDUSTRY" TO BE EXPECTED FROM ITS LABOR UNIONS, FINDS DIFFICULTY IN FIRMLY REJECTING LDC RHETORIC; FRANCE, PERHAPS WITH AN EYE TO THE CIEC MEETINGS, HAS RESISTED--TO THE POINT OF OBSTRUCTION--THE PUBLIC ADOPTION OF HARD-LINE POSITIONS BY GROUP B; BELGIUM HAS BEEN A NEGLIGIBLE FORCE THUS FAR WITHIN GROUP B, BUT LEANS TOWARD ITS FRENCH NEIGHBOR; AND NEW ZEALAND HAS ALREADY PUBLICLY REJECTED THE WEIGHTED VOTING PROVISIONS OF THE DRAFT CONSTITUTION.

7. OF THE GROUP B "CORE" THEN, ONLY A HANDFUL--AUSTRALIA, CANADA, THE FRG, JAPAN, THE UK AND THE US--CAN BE EXPECTED TO HOLD FIRMLY TO THE HARD-LINE GROUP B POSITION FOR ANY LENGTH OF TIME: THE RELATIVE WEIGHT OF THIS HANDFUL, HOWEVER, IS PROBABLY SUFFICIENT TO BRING ABOUT A SIGNIFICANT MODIFICATION OF G-77 DEMANDS IF IT CAN HOLD TOGETHER UNDER PRESSURE. FOR THIS, HOWEVER, THE GROUP WILL REQUIRE ENERGETIC LEADERSHIP AND THE COHESIVENESS OF CONCERTED

INSTRUCTIONS FROM CAPITALS. WE EXPECT, FOR INSTANCE, THAT THE AUSTRALIANS WILL HOLD FIRM, BUT THEY CAN EXERT LITTLE IMPACT HERE; THE CANADIANS WILL PROBABLY HAVE DIFFICULTY IN RECONCILING THEIR RESISTANCE TO ELEMENTS OF THE G-77- RESISTANCE BASED ON ACUTE AWARENESS OF THE FINANCIAL IMPLICATIONS OF THE LATTER-WITH THEIR GENERAL FOREIGN POLICY LINE; JAPAN LIKES NOTHING LESS THAN TO STAND OUT, MUCH
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LESS BE ONE OF A TWO OR THREE-COUNTRY ISOLATED GROUP, ON NORTH-SOUTH ISSUES; THE FRG DELEGATE TO THE COW (EBERHARD KURTH), WHO IS ALSO THE SENIOR FRG BUREAUCRAT DEALING WITH UNIDO AFFAIRS, HAS PRIVATELY INFORMED US THAT HE COULD ALMOST CERTAINLY NOT HOLD ON WEIGHTED VOTING DOWN TO THE WIRE. THE UK SEEMS FIRMLY COMMITTED TO A POSITION SIMILAR TO OURS, BUT HAS NOT ATTEMPTED TO PROSELYTIZE AMONG GROUP B.

8. IN PREPARATION FOR COW--II WE ASSUME DEPARTMENT WILL EXAMINE GROUP B AND G-77 STUDY PAPERS IN ORDER TO IDENTIFY THOSE PROVISIONS WHICH FAIL TO MEET US VIEWS, PARTICULARLY THOSE WHICH WE REGARD AS CRUCIAL TO THE QUESTION OF EVENTUAL US MEMBERSHIP, AND IN THIS CONNECTION TO ESTABLISH AS FAR AS POSSIBLE WHAT THE US WOULD REGARD AS MINIMUM ACCEPTABLE PROVISIONS EVEN IF INSISTING UPON THESE PRODUCES COLLISION WITH G-77. GIVEN IMPORTANCE OF HOLDING TOGETHER CORE OF GROUP B MAJOR CONTRIBUTOR COUNTRIES WITH SIMILAR VIEWS ON CENTRAL ISSUES, SUCH AS BUDGET VOTING PROCEDURES, IF G-77 ARE TO BE INDUCED TO MODIFY THEIR OWN POSITIONS AS EXPRESSED AT COW-I, WE SUGGEST DEPT GIVE EARLY CONSIDERATION TO INITIATING CONSULTATIONS AT APPROPRIATELY HIGH LEVEL WITH UK, FRG, JAPAN, CANADA AND AUSTRALIA WITH A VIEW TO COORDINATING POSITIONS ON BASIS ISSUES FOR COW-II. SINCE SECOND SESSION BEGINS MARCH 22, TIME ELEMENT IS CRITICAL FACTOR. STIBRAVY

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